

Notice of Allowability

Application No.

09/921,005

Examiner

Jerry A. Lorengo

Applicant(s)

HAYASHI ET AL.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments & arguments filed 11/07/2003 and the examiner's amendment of 12/04/2003.
2. ☒ The allowed claim(s) is/are 1-4, 7, 9-12, 16-18 and 29-35.
3. ☒ The drawings filed on 03 August 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>12/04/2003</u> . |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

(1)

Election/Restrictions

Applicant's election without traverse of claims 1-18 and 29-35 in the paper filed November 07, 2003 is acknowledged.

(2)

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Charles Wendel on December 4, 2003.

The application has been amended as follows:

In claim 29, line 7, after "sheet", the following has been inserted: --formed of a 2 to 100 μ m-thick plastic film having a specular glossiness at 45 degrees of not more than 100%--.

(3)

Allowable Subject Matter

Claims 1-4, 7, 9-12, 16-18 and 29-35 have been found to be allowable over the prior art of record.

The following is an examiner's statement of reasons for allowance:

As set forth in the first office action mailed June 11, 2003,¹ methods for the transfer of a protective layer onto a printed substrate by way of a transfer sheet, such as taught by U.S. Patent Nos. 5,217,773 to Yoshida; 6,042,675 to Kim; 5,397,634 to Cahill et al.; 4,977,136 to Fujiwara et al.; and 4,522,881 to Kobayashi et al., are known in the art. None of the prior art of record, however, specifically teach or suggests such a method utilizing transferable layers and elements having the specific parameters set forth in applicant claims 1, 7, 9, 10, 29 and 35.

¹ See, section (6) of the Office Action mailed June 11, 2003.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

(4)

Response to Amendments and Arguments

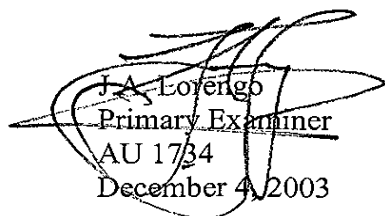
The amendments and arguments filed November 7, 2003 are acknowledged. In response to the amendments to applicant claims 1, 7, 9, 10, 29 and 35 and the cancellation of claims 5, 6, 8, 13-15 and 19-28, claims 1-4, 7, 9-12, 16-18 and 29-35 have been passed to issue as set forth and explained in section (3), above. As set forth in section (2), above, claim 29 has been amended by the examiner to include the allowable limitation set forth in applicant claim 1.

(5)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry A. Lorengo whose telephone number is (703) 306-9172. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853. Please note that after December 18, 2003 the examiner can be reached at (571) 272-1233. This change is due to the relocation of Patent Office facilities to a new campus. Also note that all patent application related correspondence transmitted by FAX must be directed to the central FAX number at 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


J.A. Lorengo
Primary Examiner
AU 1734
December 4, 2003